

In re: David A. Lisiecki,
Rose M. Lisiecki,
Debtor(s).

Chapter 13

Case No. 13-23607-GMH

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

By their attorney, William H. Green, of Green & Kapsos Law Offices, LLC, debtors David & Rose Lisiecki, filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

**Clerk of Bankruptcy Court
517 E. Wisconsin Ave.
Room 126
Milwaukee WI 53202-4581**

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

**Attorney William H. Green
Green & Kapsos Law Offices, L.L.C.
3216 S. 92nd Street
Suite # 201
Milwaukee, WI 53227**

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The proponent(s) of this modification is/are: **David & Rose Lisiecki**
☒ the debtor(s);
☐ the Chapter 13 Trustee (post-confirmation modifications only);
☐ the holder of an unsecured claim (Name _____) (post-confirmation modifications only).

2. This is a request to modify a Chapter 13 Plan (Section A. or B.):
- A. ___ post-confirmation;
- B. X pre-confirmation (Select i. or ii.):
- i. X Debtor(s)/Debtor(s) attorney certified that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
- ii. ___ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Length of Plan to be 60 months; Plan payments to be **\$850.00** per month; General Unsecured creditors to receive not less than \$480.60; All funds net Trustee costs to attorney fees until paid in full; Debtor retains tax refunds, Harley Davidson claim to be treated fully secured at 5% interest, paid pro-rata, arrears claim of Bank of America (5-1) to be paid per claim.
4. A. ___ The Chapter 13 Plan confirmed or last modified on ___ is modified as follows:
- B. X The unconfirmed Chapter 13 Plan dated **February 22, 2013** is modified as follows:
1. Length of Plan to be 60 months; Plan payments to be **\$850.00** per month.
 2. General Unsecured creditors to receive not less than \$480.60.
 3. All funds net Trustee costs to attorney fees until paid in full.
 4. Debtor retains tax refunds.
 5. Harley Davidson claim to be treated fully secured at 5% interest, paid pro-rata.
 6. Arrears claim of Bank of America (5-1) to be paid per claim.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

5. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

WHEREFORE, the proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated 7/25/2013 at Milwaukee, Wisconsin

Green & Kapsos Law Offices, L.L.C
Attorneys for the Debtors

By: /s/ William H. Green
Bar No. 1001678

P.O. ADDRESS:

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